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UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

In re:

PIERCE CONTRACTORS, INC

Debtor

CASE NO.: 21-50915-SLJ

**NOTICE OF OPPORTUNITY FOR
HEARING ON MOTION TO INCUR
DEBT ENCUMBERING REAL
PROPERTY AT 194 LANTZ DR.,
MORGAN HILL, CA**

CHAPTER 11
(Subchapter V)

Date: None Set
Time: None Set
Court: Telephone or Video Only***

TO Sassan Raissi, a sole individual, as to an undivided 600/1,429,000 interest; Jerry Kiachian, a married man as is sole and separate property, as to an undivided 629,500/1,429,000 interest; Mohsen Keyashian, a married man as his sole and separate property, as to an undivided 200,000/1,429,000 interest ("Lender" hereinafter) , Edward Weber their attorney, Superior Loan Servicing, Richard and Yong Cha Joyce and William Healy, their attorney, the U.S. Trustee and all Parties in Interest.

Please take notice that Debtor Pierce Contractors, Inc. will and hereby does move the Court to

1 incur debt in the amount of \$1,137,500 secured by a first trust deed against property commonly known
2 as at 194 Lantz Dr., Morgan Hill, CA [hereinafter "Property"]. Such new debt, together with a cash
3 infusion from non-estate funds, is intended to pay off the crammed value of the 1st trust deed subject
4 to approval of a motion to value filed heretofore, confirmation of a plan and a final order valuing the
5 1st trust deed and avoiding the junior trust deeds.
6

7 This motion is based on this Notice of Opportunity for Hearing on Motion to Incur Debt
8 Encumbering Real Property at 194 Lantz Dr., Morgan Hill, CA, the Motion to Incur Debt, the
9 Declarations filed in Support of the motions, on the papers, records, and other documents on file
10 herein, and on such oral and documentary evidence as may be presented at the hearing of this motion.
11

12 This motion is brought pursuant to B.L.R. 9014-1(b)(3), 11 U.S.C. §363 and notice is pursuant
13 to FRBP 7004(b).

14 (i) That Bankruptcy Local Rule 9014-1 of the United States Bankruptcy Court for the Northern
15 District of California prescribes the procedures to be followed and that any objection to the requested
16 relief, or a request for hearing on the matter, must be filed and served upon the initiating party within
17 21 days of mailing of the notice;

18 (ii) That a request for hearing or objection must be accompanied by any declarations or
19 memoranda of law the party objecting or requesting wishes to present in support of its position;

20 (iii) That if there is not a timely objection to the requested relief or a request for hearing, the
21 Court may enter an order granting the relief by default; and
22

23 (iv) That the initiating party will give at least 7 days written notice of hearing to the objecting
24 or requesting party, and to any trustee or committee appointed in the case, in the event an objection or
25 request for hearing is timely made; or the tentative hearing date.

26 If you oppose the motion, you may file a written opposition and must request a hearing and
27 serve a copy thereof on the following parties and entities:
28

THE BANKRUPTCY COURT:

UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
280 South First Street, 3rd Floor
San Jose, CA 95113

DEBTOR'S COUNSEL:

LARS T. FULLER, ESQ.
THE FULLER LAW FIRM, P.C.
60 N. Keeble Avenue
San Jose, CA 95126

DEBTOR:

PIERCE CONTRACTORS, INC
194 Lantz Dr,
Morgan Hill, CA 95037

Respectfully Submitted,

Dated: July 13, 2021

THE FULLER LAW FIRM, P.C.

By: Lars T. Fuller
LARS T. FULLER
Attorney for Debtor